

**CONFIDENTIAL**

C-100-1700

MAY 07 2003

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## IN THE UNITED STATES PATENT &amp; TRADEMARK OFFICE

In the matter of:

INVENTOR: Joseph Robert Stetter

EXAMINER: Ta Hsung Tung

SERIAL NO.: 09/915,166

ART UNIT: 1753

FILED: July 25, 2001

FOR: CHEMICAL SENSING APPARATUS AND METHODS

**RESPONSE TO ELECTION REQUIREMENT**

May 7, 2003

Hon. Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

S I R:

In response to the Office Action of April 8, 2003, Applicant elects the following species for prosecution on the merits:

"8) recovering analyte product...and reacting it again at the working electrode." Claims 1 and 16-26 are readable on the elected species.

This election is made with traverse, as there are only two independent claims, and no justification is presented in the Office Action for breaking up the dependent claims into eight distinct species. It is not even shown that the eight listed species appertain to different Classes or Sub-Classes that would render them patentably distinct.

It is therefore respectfully requested that the election requirement be reconsidered and either rescinded in whole or in part or more fully justified.

Respectfully submitted by,



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